

App'l No. 09/920,137

Amend Dated May 5, 2004

Reply to Office Communication of January 5, 2004

REMARKS

In response to the Office Action, mailed January 5, 2004, for which a one-month extension of time petition and fee submission/authorization is filed herewith, extending the time for response from April 5, 2004, to May 5, 2004, the claims are not amended from those presented and amended in are as presented in the response to the restriction requirement filed October 10, 2003, where claims 1-3, 9 and 16 were maintained with original claims 2-3 and once amended claims 1, 9 and 16.

In response to the Examiner's objections to the specification and title, typographical, grammatical and clerical errors, the specification has been amended throughout. Accordingly, both marked up (Appendix A) (from that provided in the last response to restriction requirement dated October 10, 2003) and clean (Appendix B) substitute specifications are provided. To facilitate identification of the amendments to the specification, the marked up substitute specification shows additions underlined and deleted text as strikethrough, as well as vertical notations in the margins to identify where amendments have been made. Additionally, each paragraph has been labeled by sequential numbering in brackets to help identify current and potential future amendments to the specification.

The Examiner rejects claims 1-3, 9 and 16 under 35 USC 112.1, asserted that SEQ ID NOS:7 and 8 as recited correspond to chemokines MIP-1b and RANTES, rendering the claims indefinite.

Applicants respectfully traverse this rejection on the bases that SEQ ID NOS: 7 and 8 in fact correspond to heavy chain and light chain variable regions of the claimed TNF human antibody.

Reconsideration and withdrawal of this rejection are respectfully requested.

The Examiner rejects claims 1, 9 and 16 as lacking enablement for the reasons presented on pages 3-6 of the specification, also asserting that SEQ ID NOS:7 and 8 correspond to chemokines MIP-1b and RANTES, and thus the specification is not enabling for such proteins which are asserted to not be antibodies.

Applicants respectfully traverse this rejection on the bases that SEQ ID NOS: 7 and 8 in fact correspond to heavy chain and light chain variable regions of the claimed TNF human antibody, and such antibodies, compositions and methods are fully supported by the present specification, including the description and examples, which present the use of SEQ ID NOS:7 and 8 as the HC and LC variable sequences provided in the claims antibodies, compositions and devices.

Reconsideration and withdrawal of this rejection are respectfully requested.

The Examiner rejects claims 1-3, 9 and 16 under 35 USC 102(b) as anticipated by Le et al., US patent No. 5,656,272, as disclosing TNF antibodies.

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Applicants respectfully traverse this rejection on the basis that Le et al does not disclose any human TNF antibodies comprising SEQ ID NOS:7 and 8, corresponding to heavy chain and light chain variable regions.

Reconsideration and withdrawal of this rejection are respectfully requested.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case of the now pending claims.

If any fees are due in connection with the filing of this response, authorization is hereby given to charge the amount of such fee to Deposit Account No. 10-0750/CEN0250NP/GKT in the name of Johnson & Johnson.

Respectfully submitted,



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